

INTERVIEW

On August 9, 2005, Messrs. Williams and Bregman for Applicants conducted a telephone interview with Examiner Leung. During the interview, Applicants presented arguments for patentability of the existing claims. In particular, Applicants noted that the King reference relates to calibration and testing, and, as such, does not disclose measuring and converting operational conditions of an optoelectronic transceiver. Applicants also noted that the King reference does not teach an interface that enables a host to read from host-specified locations in memory, i.e., where the host specifies the location or address in memory from which to read. Applicants and the Examiner failed to reach any resolution.

REMARKS

In the June 15, 2005 final Office Action, the Examiner:

- Rejected claims 1-13 under 35 U.S.C. 103(a) as unpatentable over King et al. ("King", U.S. Pat. No. 5,812,572 A) in view of Stephenson ("Stephenson", U.S. App. No. 2002/0027688 A1) and Swartz ("Swartz", U.S. Pat. No. 6,021,947 A).

Applicants recently noticed that another pending application in the same patent family contains similar claims to the instant application. Accordingly, Applicants have elected to substantially amend all pending claims 1-13 and add new claims 14-38, which are directed to previously described, but not previously claimed subject matter. Support for the changes to claims 1-13 and the new claims 14-38 can be found throughout the present specification, but in particular in the tables at the end of the specification, in paragraphs 9, 32, 33, 52, 54, 73, and in the figures. No new matter has been added.

Claim Rejections - 35 U.S.C. § 103

The Examiner has rejected claims 1-13 under 35 U.S.C. 103(a) as unpatentable over *King* in view of *Stephenson* and *Swartz*. In light of the amendments to claims 1-13, these rejections are now moot.

Applicants, however, note that in King, the host device reads host-specified parameters, not host-specified locations in the controller. The difference is significant. While the host device in King can read and update values in a table in the controller by specifying the parameters to be read, King does not disclose, teach, or suggest that the host device accesses the controller by specifying memory locations or addresses within the

controller or its memory. While the software in the controller of King knows where it has stored various parameters, and has a memory map for its own internal use (Fig. 12 of King), King does not teach that the host uses that map or does anything more specific than send commands to the controller and receive responses from the controller generally. There is a difference, on the one hand, between a host device sending commands to a controller that specify parameters to be read, and, on the other hand, a host device sending commands that specify specific locations or addresses within the controller or its memory.

As noted above, King lacks any specific teaching about a host accessing the controller through an interface that is configured to enable a host to read from host-specified locations within the memory, which is required by pending claims 1-13 in this application. The present application contains numerous examples of specific teachings on this subject, examples of which are found in paragraphs 0047 and 0048 of the specification.

Applicant also notes that the memory map in King, Fig. 12, does not list values representing current operating conditions of an optoelectronic transceiver. Rather, Fig. 12 lists historical information, such “operating condition extremes, alarm occurrences, conditions at time of alarms.” The top portion of Fig. 12 represents a set of control parameters used at various temperatures of the device. Thus, none of the memory locations in Fig. 12 of King store any of the five current operating condition values now required by all the pending claims in this application. In fact, as King only discloses a transmitter, it cannot store digital values corresponding to a received optical power.

Conclusion

In light of the above, it is respectfully submitted that all of the pending claims are patentable over the prior art of record, and, as such, are in condition for allowance. However, should the Examiner believe that the claims are not in condition for allowance, the Applicant encourages the Examiner to call the undersigned attorney at 650-843-7519 to set up an interview.

If there are any fees or credits due in connection with the filing of this Amendment, including any fees required for an Extension of Time under 37 C.F.R. Section 1.136, authorization is given to charge any necessary fees to our Deposit Account No. 50-0310 (order No. 060900-0197-US). A copy of this sheet is enclosed for such purpose.

Respectfully submitted,

Date: September 16, 2005


Dion M. Bregman 45,645
(Reg. No.)
MORGAN, LEWIS & BOCKIUS LLP
2 Palo Alto Square
3000 El Camino Real, Suite 700
Palo Alto, California 94306
(650) 843-4000